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8 May 1981

4PM-NAMING SPIES,360

CASEY CALLS FOR CRIMINAL PENALTIES FOR THOSE NAMING COVERT AGENTS
WASHINGTON (AP) - CIA DIRECTOR WILLIAM J. CASEY, URGING CRIMINAL
PENALTIES FOR THE PUBLIC IDENTIFICATION OF U.S. SPIES, SAID TODAY THAT
"UNTOLD DAMAGE" HAS BEEN CAUSED BY THE NAMING OF AMERICAN COVERT
AGENTS.

"UNAUTHORIZED DISCLOSURES ARE UNDERMINING THE INTELLIGENCE
COMMUNITY'S HUMAN SOURCE COLLECTION CAPABILITIES AND ENDANGERING THE
LIVES OF OUR INTELLIGENCE OFFICERS IN THE FIELD," CASEY SAID.

HE TESTIFIED BEFORE A SENATE JUDICIARY SUBCOMMITTEE, WHICH IS
CONSIDERING A BILL TO IMPOSE JAIL TERMS OF UP TO 10 YEARS FOR SOMEONE
WITH ACCESS TO CLASSIFIED INFORMATION WHO DISCLOSES THE NAME OF AN
AGENT.

SIMILAR LEGISLATION FAILED TO REACH A SENATE FLOOR VOTE LAST YEAR AS
OPPONENTS CONTENDED IT WAS UNCONSTITUTIONAL AND COULD STIFLE
LEGITIMATE NEWS REPORTING OF INTELLIGENCE ACTIVITIES.

THE JUSTICE DEPARTMENT TESTIFIED TODAY THAT THE CURRENT PROPOSAL,
SPONSORED BY SEN. JOHN H. CHAFFEE, R-R.I., IS CONSTITUTIONAL.

RICHARD K. WILLARD, COUNSEL ON INTELLIGENCE POLICY TO ATTORNEY
GENERAL WILLIAM FRENCH SMITH, ENDORSED A CONTROVERSIAL PROVISION OF
CHAFFEE'S BILL AUTHORIZING UP TO THREE YEARS IN JAIL FOR DISCLOSURE OF
A SPY'S NAME BY SOMEONE WITHOUT ACCESS TO CLASSIFIED INFORMATION.

THE PROVISION "WOULD PASS CONSTITUTIONAL MUSTER UNDER A FIRST
AMENDMENT OR DUE PROCESS CHALLENGE," WILLARD SAID. THE PROVISION
WOULD REQUIRE PROSECUTORS TO SHOW THAT DISCLOSURE WAS MADE "WITH
REASON TO BELIEVE" THAT NAMING SPIES WOULD HARM U.S. INTELLIGENCE
ACTIVITIES.

THE BILL IS AIMED IN PART AT A PUBLICATION CALLED COVERT ACTION
INFORMATION BULLETIN, WHICH REPEATEDLY HAS PUBLISHED THE NAMES OF
ALLEGED AMERICAN AGENTS.

"A SUBSTANTIAL NUMBER OF THESE DISCLOSURES HAVE BEEN ACCURATE,"
CASEY SAID. "AM HOPEFUL THAT WE WILL SOON SEE ENACTMENT OF A
MEASURE WHICH WILL FINALLY PUT AN END TO THE PERNICIOUS AND DAMAGING
UNAUTHORIZED DISCLOSURES OF INTELLIGENCE IDENTITIES."

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